

**General Docket  
Seventh Circuit Court of Appeals**

<b>Court of Appeals Docket #:</b> 14-8003 Motorola Mobility LLC v. AU Optronics Corporation, et al <b>Appeal From:</b> Northern District of Illinois, Eastern Division <b>Fee Status:</b> -	<b>Docketed:</b> 02/25/2014
<b>Case Type Information:</b> 1) miscellaneous 2) 28 U.S.C. 1292(b) 3) -	
<b>Originating Court Information:</b> <b>District:</b> 0752-1 : <a href="#">1:09-cv-06610</a> <b>Trial Judge:</b> Joan B. Gottschall, District Court Judge <b>Date Filed:</b> 10/20/2009 <b>Date Order/Judgment:</b> 02/13/2014 <span style="float: right;"><b>Date NOA Filed:</b> 02/24/2014</span>	
<b>Prior Cases:</b> None	
<b>Current Cases:</b> None	

MOTOROLA MOBILITY LLC Petitioner	Thomas C. Goldstein, Attorney Direct: 202-362-0636 [COR LD NTC Retained] GOLDSTEIN & RUSSELL, P.C. Suite 404 5225 Wisconsin Avenue NW Washington, DC 20015
v.	
AU OPTRONICS CORPORATION Respondent	Carl L. Blumenstein, Attorney Direct: 415-398-3600 [COR LD NTC Retained] NOSSAMAN LLP 34th Floor 50 California Street San Francisco, CA 94111  Farschad Farzan, Attorney Direct: 415-398-3600 [COR NTC Retained] NOSSAMAN LLP 34th Floor 50 California Street San Francisco, CA 94111  Kirk Christopher Jenkins, Attorney Direct: 312-641-9050 [COR NTC Retained] SEDGWICK LLP Suite 4200 One N. Wacker Drive Chicago, IL 60606-2841  Christopher A. Nedeau, Attorney Direct: 414-398-3600 [COR NTC Retained] NOSSAMAN LLP 34th Floor 50 California Street San Francisco, CA 94111
CHUNGHWA PICTURE TUBES LIMITED Respondent	Terence H. Campbell, Attorney Direct: 312-263-0345 [COR LD NTC Retained]

	<p>COTSIRILOS, TIGHE &amp; STREICKER, POULOS &amp; CAMPBELL Suite 600 33 N. Dearborn Street Chicago, IL 60602-0000</p> <p>William Farmer, Attorney Direct: 415-962-2877 [COR LD NTC Retained] FARMER BROWNSTEIN JAEGER, LLP Suite 1300 235 Pine Street San Francisco, CA 94104</p>
HANNSTAR DISPLAY CORPORATION Respondent	<p>Jason M. Bussey Direct: 650-251-5000 [COR LD NTC Retained] 2475 Hanover Street Palo Alto, CA 94034</p> <p>Eugene E. Murphy, Jr., Attorney Direct: 312-202-3202 [COR LD NTC Retained] MURPHY &amp; HOURIHANE LLC Suite 2550 161 N. Clark Street Chicago, IL 60601-0000</p>
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SAMSUNG ELECTRONICS COMPANY, LIMITED Respondent	<p>Robert D. Wick, Attorney Direct: 202-662-5487 [COR LD NTC Retained] COVINGTON &amp; BURLING LLP 1003C 1201 Pennsylvania Avenue N.W. Washington, DC 20004-2401</p> <p>Jeffrey M. Davidson Direct: 415-591-7021 [COR NTC Retained] COVINGTON &amp; BURLING LLP One Front Street San Francisco, CA 94111</p> <p>Robert A. Long, Jr., Attorney Direct: 202-662-6000 [COR NTC Retained] COVINGTON &amp; BURLING LLP 1201 Pennsylvania Avenue N.W. Washington, DC 20004-2401</p> <p>Derek Ludwin, Attorney Direct: 202-662-5429 [COR NTC Retained] COVINGTON &amp; BURLING LLP 1201 Pennsylvania Avenue N.W. Washington, DC 20004-2401</p>
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SAMSUNG SDI AMERICA, INC.  
Respondent

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(see above)

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FEDERAL TRADE COMMISSION  
Amicus Curiae

Nickolai G. Levin, Attorney  
[COR LD NTC Government Federal]  
DEPARTMENT OF JUSTICE

UNITED STATES OF AMERICA Amicus Curiae	Antitrust Division, Appellate Section 950 Pennsylvania Avenue N.W. Washington, DC 20004
	James Joseph Fredricks, Attorney Direct: 202-307-1403 [COR LD NTC Government Federal] DEPARTMENT OF JUSTICE Antitrust Division, Appellate Section Room 3224 950 Pennsylvania Avenue N.W. Washington, DC 20004
	Nickolai G. Levin, Attorney [COR LD NTC Government Federal] (see above)
	Kristen Ceara Limarzi, Attorney Direct: 202-353-8629 [COR LD NTC Government Federal] DEPARTMENT OF JUSTICE Antitrust Division, Appellate Section Suite 3224 950 Pennsylvania Avenue N.W. Washington, DC 20004
AMERICAN ANTITRUST INSTITUTE Amicus Curiae	Richard M. Brunell, Attorney Direct: 617-964-8721 [COR LD NTC Retained] AMERICAN ANTITRUST INSTITUTE 68 Adella Avenue Newton, MA 02465
ECONOMISTS AND PROFESSORS Amicus Curiae	Brett K. Gorman, Attorney Direct: 217-223-3030 [COR LD NTC Retained] SCHMIEDESKAMP, ROBERTSON, NEU & MITCHELL 525 Jersey Street P.O. Box 1069 Quincy, IL 62306-0000
KOREA FAIR TRADE COMMISSION Amicus Curiae	Jeffrey R. Tone, Attorney Direct: 312-663-0800 [COR LD NTC Retained] KATTEN & TEMPLE LLP 14th Floor 542 S. Dearborn Street Chicago, IL 60605
MINISTRY OF ECONOMIC AFFAIRS, REPUBLIC OF CHINA, TAIWAN Amicus Curiae	Brian H. Getz, Attorney Direct: 415-912-5886 [COR LD NTC Retained] Suite 3850 44 Montgomery Street San Francisco, CA 94104


IN RE:  
MOTOROLA MOBILITY LLC,  
Petitioner

02/24/2014	<input type="checkbox"/> <a href="#">1</a> 103 pg, 10.3 MB	Petition for Permission to appeal pursuant to 28 U.S.C. 1292(b) docketed. [1] [6554888] [14-8003] (AD)
02/25/2014	<input type="checkbox"/> <a href="#">2</a> 7 pg, 648.87 KB	Disclosure Statement filed by Attorney Jerome A. Murphy for Petitioner Motorola Mobility LLC. [2] [6554915] ) [14-8003] (AD)
02/27/2014	<input type="checkbox"/> <a href="#">3</a> 12 pg, 282.35 KB	Disclosure Statement filed by Attorney Nathan P. Eimer for Respondent LG Display Company, Limited. for LG Display America, Inc.. [3] [6555601] (L-Yes; E-Yes; R-No) [14-8003] (Eimer, Nathan)
03/06/2014	<input type="checkbox"/> <a href="#">4</a> 9 pg, 66.07 KB	Disclosure Statements filed by Attorneys Allison A. Davis, Nick Verwolf, Sanjay Nangia and William Yu for Respondent Sanyo Consumer Electronics Company, Limited. [4] [6557656] (L-Yes; E-Yes; R-No) [14-8003] --[Edited 03/07/2014 by FP to reflect that atty. Davis is added as lead counsel to the party and attorney Wu is not lead.] (Davis, Allison)
03/07/2014	<input type="checkbox"/> <a href="#">5</a> 2 pg, 149.34 KB	Disclosure Statement filed by Attorney James A. Morsch for Respondent Sharp Electronics Corporation. for Sharp Corporation. [5] [6557802] (L-No; E-Yes; R-No) [14-8003] (Morsch, James)
03/07/2014	<input type="checkbox"/> <a href="#">6</a> 5 pg, 635.85 KB	Disclosure Statement filed by Attorney Kenneth A.Gallo, Craig A. Benson and Joseph J. Simons for Respondent Sharp Electronics Corporation. for Sharp Corporation. [6] [6558006] (L-No; E-No; R-No) [14-8003] (Morsch, James)
03/10/2014	<input type="checkbox"/> <a href="#">7</a> 2 pg, 155 KB	Disclosure Statement filed by Attorney Christopher M Curran for Respondent Toshiba Corporation. Additional Parties: Toshiba Mobile Display Co. Ltd. (f/k/a Toshiba Matsushita Display Technology Co. Ltd., n/k/a Japan Display, Inc.) Toshiba America Electronic Components, Inc.. [7] [6558326] (L-Yes; E-Yes; R-No) [14-8003]--[Edited 03/10/2014 by FP to reflect that atty. Curran is added to the docket.] (Curran, Christopher)
03/10/2014	<input type="checkbox"/> <a href="#">8</a> 9 pg, 121.13 KB	Disclosure Statement filed by Attorney Robert D. Wick, Robert A. Long, Derek Ludwin, Jeffrey M. Davidson for Respondent Samsung Electronics Company, Limited. [8] [6558353] (L-Yes; E-Yes; R-No) [14-8003] --[Edited 03/10/2014 by ER - added attorneys Robert D. Wick, Robert A. Long, and Derek Ludwin.] (Wick, Robert)
03/10/2014	<input type="checkbox"/> <a href="#">9</a> 34 pg, 165.32 KB	Filed Response by Respondents AU Optronics Corporation, Chunghwa Picture Tubes Limited, Hannstar Display Corporation, LG Display Company, Limited, Samsung Electronics Company, Limited, Sanyo Consumer Electronics Company, Limited, Sharp Electronics Corporation and Toshiba Corporation to Petition for Interlocutory Appeal. [9][6558388] [14-8003] (Wick, Robert)
03/11/2014	<input type="checkbox"/> <a href="#">10</a> 5 pg, 123.82 KB	Disclosure Statement filed by Attorney Gary L. Halling for Samsung SDI Co., Ltd.. Additional Parties: Samsung SDI America, Inc.. [10] [6558619] (L-No; E-Yes; R-No) [14-8003]--[Edited 03/11/2014 by ER - Added respondents Samsung SDI Co., Ltd. and Samsung SDI America, Inc. to the docket. Added attorney Gary L. Halling to the docket.] (Halling, Gary)
03/11/2014	<input type="checkbox"/> <a href="#">11</a> 2 pg, 45.33 KB	Disclosure Statement filed by Attorney John N. Hourihane, Jr. for Respondent Hannstar Display Corporation. [11] [6558719] (L-No; E-Yes; R-No) [14-8003] --[Edited 03/11/2014 by ER - added attorney Jason M. Bussey] (Hourihane, John)
03/11/2014	<input type="checkbox"/> <a href="#">12</a> 2 pg, 77.39 KB	Disclosure Statement filed by Attorney William S. Farmer for Respondent Chunghwa Picture Tubes Limited. [12] [6558777] (L-Yes; E-Yes; R-No) [12] [6558777] [14-8003]--[Edited 03/12/2014 by AM to add attorney Farmer] (Farmer, William)
03/17/2014	<input type="checkbox"/> <a href="#">13</a> 12 pg, 353.18 KB	Disclosure Statement filed by Attorney Christopher A. Nedeau Kirk C. Jenkins Carl L. Blumenstein Farschad Farzan for Respondent AU Optronics Corporation. [13] [6560215] (L-No; E-Yes; R-No) [14-8003] --[Edited 03/18/2014 by ER - added attorneys Christopher A. Nedeau, Carl L. Blumenstein and Farschad Farzan] (Jenkins, Kirk)
03/27/2014	<input type="checkbox"/> <a href="#">14</a> 9 pg, 148.59 KB	Filed opinion of the court by Judge Posner. This case is before us on the plaintiff's unopposed petition for leave to take an interlocutory appeal, pursuant to 28 U.S.C. § 1292(b), from an order that the district judge has certified for an immediate appeal. We grant the petition for reasons explained below; and because the petition and the defendants' response, together with the district judge's opinion explaining her order and the record in the district court, provide an ample basis for deciding the appeal, we dispense with further briefing and with oral argument. <b>AFFIRMED.</b> Richard A. Posner, Circuit Judge; Michael S. Kanne, Circuit Judge and Ilana Diamond Rovner, Circuit Judge. [14] [6562702] [14-8003] (AD)
03/27/2014	<input type="checkbox"/> <a href="#">15</a> 1 pg, 863.04 KB	ORDER: Final judgment filed per opinion. With costs: no. [15] [6562707] [14-8003] (AD)
04/02/2014	<input type="checkbox"/> <a href="#">16</a> 9 pg, 118.35 KB	Motion filed by Petitioner Motorola Mobility LLC to extend time to file petition rehearing [16] [6564172] [14-8003]--[Edited 04/02/2014 by FP: This document is a non-native PDF; Correct PDF version required by atty. ] (Murphy, Jerome)
04/02/2014	<input type="checkbox"/> <a href="#">17</a> 9 pg, 71.76 KB	Motion filed by Petitioner Motorola Mobility LLC to extend time to file petition rehearing en banc. [17] [6564227] [14-8003]--[Edited 04/02/2014 by FP to reflect corrected PDF version. See dkt entry #16.] (Murphy, Jerome)
04/02/2014	<input type="checkbox"/> <a href="#">18</a> 1 pg, 862.48 KB	Order issued GRANTING Motion for Extension of Time to File Petition for Rehearing En Banc. [17] A petition for rehearing or rehearing en banc, if any, is due April 24, 2014. No further extensions of time will be granted absent extraordinary circumstances. BDM [18] [6564288] [14-8003] (AD)

- 04/23/2014  [19](#) Disclosure Statement filed by Attorney Thomas C. Goldstein for Petitioner Motorola Mobility LLC. [19] [6570247] (L-Yes; E-Yes; R-Yes) [14-8003] -[Edited 04/23/2014 by ER - terminated attorney Jerome A. Murphy and added attorney Thomas Goldstein] (Goldstein, Thomas)
- 04/24/2014  [20](#) Submitted petition for rehearing en banc by Thomas C. Goldstein for Petitioner Motorola Mobility LLC. [20] [6570764] [14-8003] (Goldstein, Thomas)
- 04/24/2014  [21](#) Disclosure Statement filed by Attorney Richard M. Brunell for American Antitrust Institute. [21] [6570768] (L-Yes; E-Yes; R-No) [14-8003] (Brunell, Richard)
- 04/24/2014  [22](#) Filed Petition for Rehearing and Petition for Rehearing En banc by Petitioner Motorola Mobility LLC , per order. Paper copies due on 04/28/2014 [22] [6570782] [14-8003] (ACB)
- 04/24/2014  [23](#) Motion filed by United States and the Federal Trade Commission to file Amicus Brief in Support of Panel Rehearing or Rehearing En Banc. [23] [6570790] [14-8003] Amicus Curiae Brief in Support of Panel Rehearing or Rehearing En Banc tendered. [23] [6570790] [14-8003]--[Edited 04/25/2014 by CD to reflect brief tendered.] (Levin, Nikolai)
- 04/24/2014  [24](#) Filed Non-Party Unopposed Motion to File Amicus Curiae Brief by American Antitrust Institute. [6570814] [14-8003] Brief in Support of Appellant's Petition for Rehearing En Banc tendered. [24] [6570814] [14-8003] --[Edited 04/25/2014 by CD to reflect tendered brief.] (Brunell, Richard)
- 04/24/2014  [25](#) Filed Non-Party Motion for Leave to File Amicus Curiae Brief by Economists and Professors. [6570826] [14-8003] Amicus Curiae Brief in Support of Appellant's Petition for Rehearing En Banc tendered. [25] [6570826] [14-8003]--[Edited 04/25/2014 by CD to reflect brief tendered.] (Gorman, Brett)
- 04/25/2014  [26](#) Sent clerk's copy of request to Respondents AU Optronics Corporation, Chunghwa Picture Tubes Limited, Hannstar Display Corporation, LG Display Company, Limited, Samsung Electronics Company, Limited, Samsung SDI America, Inc., Samsung SDI Company, Limited, Sanyo Consumer Electronics Company, Limited, Sharp Electronics Corporation and Toshiba Corporation requesting 30 copies of their answer to the Petition for Rehearing and Petition for Rehearing En banc filed by Petitioner Motorola Mobility LLC on 04/24/2014. Answer to Petition for Rehearing En banc for Respondents AU Optronics Corporation, Chunghwa Picture Tubes Limited, Hannstar Display Corporation, LG Display Company, Limited, Samsung Electronics Company, Limited, Samsung SDI America, Inc., Samsung SDI Company, Limited, Sanyo Consumer Electronics Company, Limited, Sharp Electronics Corporation and Toshiba Corporation by 05/09/2014. [6570900] [14-8003] (FP)
- 04/28/2014  [27](#) Motion filed by Respondents AU Optronics Corporation, Chunghwa Picture Tubes Limited, Hannstar Display Corporation, LG Display Company, Limited, Samsung Electronics Company, Limited, Samsung SDI America, Inc., Samsung SDI Company, Limited, Sanyo Consumer Electronics Company, Limited, Sharp Electronics Corporation and Toshiba Corporation to extend time to file answer to petition for rehearing. [27] [6571631] [14-8003] (Wick, Robert)
- 04/29/2014  [28](#) Instant order re: 1) Unopposed Motion of the United States and the Federal Trade Commission for Leave to File the Attached Amicus Brief in Support of Panel Rehearing or Rehearing En Banc. 2) Unopposed Motion of the American Antitrust Institute for Leave to File Brief as Amicus Curiae in Support of Appellant's Petition for Rehearing En Banc. 3) Motion for Leave to File Amicus Curiae Brief of Economists and Professors in Support of Appellant's Petition for Rehearing En Banc. 4) Respondent's Motion for Extension of Time to File Response to Petition for Rehearing. The motions to file briefs as amici curiae are GRANTED. The clerk of this court shall file INSTANTER the tendered briefs. Further, the motion for extension of time is GRANTED. The respondents' answer to the petition for rehearing en banc is due May 16, 2014. [23] [24] [25] [27]. BDM [28] [6571924] [14-8003] (AD)
- 04/29/2014  [30](#) Amicus brief filed by Amici Curiae USA and FTC, per order. Paper copies due on 05/07/2014 Electronically Transmitted. [30] [6572036] [14-8003] (SK)
- 04/29/2014  [31](#) Amicus brief filed by Amicus Curiae American Antitrust Institute, per order. Paper copies due on 05/07/2014 Electronically Transmitted. [31] [6572136] [14-8003] (RT)
- 04/29/2014  [32](#) Amicus brief filed by Amicus Curiae Economists and Professors, per order. Paper copies due on 05/07/2014 Electronically Transmitted. [32] [6572141] [14-8003] (RT)
- 04/30/2014  [29](#) Appearance form filed by Attorney Kristen C. Limarzi, James J. Fredricks, and Nikolai G. Levin for Amicus Curiae USA. [29] [6571997] (L-Yes; E-Yes; R-No) [14-8003] [29] [6571997] [14-8003]--[Edited 04/30/2014 by CD to reflect addition of counsel.] (Levin, Nikolai)
- 05/01/2014  [33](#) ORDER: The court invites the United States Department of Commerce and the United States Department of State to file briefs as amici curiae with respect to the petition for rehearing en banc. When the Departments decide whether or not to accept the court's invitation to file briefs as amici curiae, the court would appreciate notification of their decision, by letter addressed to the Clerk of the Court, as soon as possible. If the Departments decide to accept the court's invitation, the briefs regarding the pending petition for rehearing en banc will be due on May 23, 2014. The deadline for the respondents' answer to the petition for rehearing en banc is extended to May 23, 2014. (See order for further details) BDM [6572529] [14-8003] (AM)
- 05/19/2014 Filed Response by Amicus Curiae USA to Court order of 05/01/14. [34][6576689] [14-8003] (Limarzi, Kristen)

- [34](#)  
3 pg, 70.55 KB
- 05/22/2014  [35](#)  
1 pg, 72.47 KB Order: The court directs the United States Solicitor General, within one week of this order, to identify by name the officials in the "interested components of the federal government" that he consulted with, the nature of the consultation, and the meaning of the statement in the Solicitor General's letter that the Solicitor General's amicus curiae brief "reflects the views of the United States." The Solicitor General shall submit a copy of the amicus curiae brief of the Japanese Ministry of Economy, Trade and Industry, filed in the district court, to which the Solicitor General's letter refers. BDM [35] [6577465] [14-8003]--[Edited 05/23/2014 by ER - WITHDRAWN per the court's 5/23/14 order] (CD)
- 05/23/2014  [36](#)  
16 pg, 127.04 KB Filed Non-Party Unopposed Motion of the Korea Fair Trade Commission for Leave to File Brief as Amicus Curiae in Support of Appellee' Opposition to Rehearing En Banc by Korea Fair Trade Commission. [6577858] [14-8003] (Tone, Jeffrey)
- 05/23/2014  [37](#)  
29 pg, 297.73 KB Submitted answer to petition for rehearing en banc by Robert D. Wick for Respondents AU Optronics Corporation, Chunghwa Picture Tubes Limited, Hannstar Display Corporation, LG Display Company, Limited, Samsung Electronics Company, Limited, Samsung SDI America, Inc., Samsung SDI Company, Limited, Sanyo Consumer Electronics Company, Limited, Sharp Electronics Corporation and Toshiba Corporation. [37] [6577939] [14-8003] (Wick, Robert)
- 05/23/2014  [38](#)  
1 pg, 52 KB ORDER: The order of May 22 directed to the Solicitor General of the United States is hereby withdrawn. The court acknowledges receipt from the Solicitor General of the amicus curiae brief filed in the district court by the Japanese Ministry of Economy, Trade and Industry. The court may seek such further information from the Solicitor General as would assist the court's deliberations on the petition for rehearing en banc. [38] [6577947] [14-8003] (ER)
- 05/23/2014  [39](#)  
29 pg, 299.61 KB Filed Answer to Petition for Rehearing and Petition for Rehearing En banc by Respondents AU Optronics Corporation, Chunghwa Picture Tubes Limited, Hannstar Display Corporation, LG Display Company, Limited, Samsung Electronics Company, Limited, Samsung SDI America, Inc., Samsung SDI Company, Limited, Sanyo Consumer Electronics Company, Limited, Sharp Electronics Corporation and Toshiba Corporation. [39] [6578034] Paper copies due on 05/27/2014 [14-8003] (GW)
- 05/27/2014  [40](#)  
1 pg, 970.91 KB ORDER: The unopposed motion for leave to file an amicus curiae brief is GRANTED. The Korean Fair Trade Commission is granted leave to file the tendered brief as amicus curiae in support of appellees' opposition to rehearing en banc. The clerk of this court shall file INSTANTER the tendered brief and distribute the brief en banc. [36] JKL [40] [6578310] [14-8003] (AM)
- 05/27/2014  [42](#)  
12 pg, 113.25 KB Amicus brief filed by Amicus Curiae Korea Fair Trade Commission per order. Paper copies due on 06/04/2014 Electronically Transmitted. [42] [6578549] [14-8003] (RS)
- 05/28/2014  [41](#)  
14 pg, 127.61 KB Motion filed by Petitioner Motorola Mobility LLC to file Reply Brief in Support of Petition for Rehearing En Banc. [41] [6578452] [14-8003] (Goldstein, Thomas)
- 05/28/2014  [43](#)  
11 pg, 22.36 KB Filed Response in Opposition by Respondents AU Optronics Corporation, Chunghwa Picture Tubes Limited, Hannstar Display Corporation, LG Display Company, Limited, Samsung Electronics Company, Limited, Samsung SDI America, Inc., Samsung SDI Company, Limited, Sanyo Consumer Electronics Company, Limited, Sharp Electronics Corporation and Toshiba Corporation to Motorola's Motion for Leave to File Reply Brief in Support of Its Petition for Rehearing En Banc. [43][6578737] [14-8003] (Wick, Robert)
- 05/29/2014  [44](#)  
1 pg, 864.12 KB ORDER re: 1. Appellant's Motion to File Reply Brief in Support of its Petition for Rehearing En Banc. 2. Appellees' Opposition to Motion for Leave to file Reply. The motion to file reply brief in support of petition for rehearing en banc is DENIED. [41]JKL [44] [6578837] [14-8003] (SM)
- 05/29/2014  [45](#)  
5 pg, 124.02 KB Filed Non-Party Motion for Leave to File Letter as Amicus Curiae by Ministry of Economic Affairs, Republic of China, Taiwan. [6578876] [14-8003] (Jenkins, Kirk)
- 05/29/2014  [46](#)  
1 pg, 864.29 KB ORDER re: "Motion of the Ministry of Economic Affairs, Republic of China, Taiwan for Leave to File Letter as Amicus Curiae to Express its Views Regarding Application of the Foreign Trade Antitrust Improvement Act." The motion is GRANTED. The clerk of this court shall file INSTANTER the tendered letter from the Ministry of Economic Affairs, Republic of China, Taiwan, as amicus curiae, and distribute the letter en banc. [45] JKL [46] [6579083] [14-8003] (SM)
- 05/29/2014  [47](#)  
1 pg, 49.35 KB Filed letter from Amicus Curiae Ministry of Economic Affairs, Republic of China, Taiwan to Express its Views Regarding Application of the Foreign Trade Antitrust Improvement Act. (Filed INSTANTER per 5/29/14 order.) [47] [6579086] [14-8003] (SM)
- 05/29/2014  [48](#)  
28 pg, 187.39 KB Motion filed by Petitioner Motorola Mobility LLC Request for Referral of Motion To En Banc Court. Reply in Support Tendered. [48] [6579166] [14-8003]--[Edited 05/30/2014 by AD to reflect tendered item.] (Goldstein, Thomas)
- 05/30/2014  [49](#)  
29 pg, 1.91 MB ORDER re: Appellant's request for referral to en banc court, filed on 5/29/14. The motion to reconsider is GRANTED. The clerk of this court shall file INSTANTER the appellant's tendered reply in support of the petition for rehearing en banc. The clerk shall distribute the appellant's reply, the appellees' opposition to motion for leave to file reply, and this order to the en banc court. [48]. JKL [49] [6579458] [14-8003] (FP)
- 05/30/2014



	<input type="checkbox"/> <a href="#">54</a> 12 pg, 108.28 KB	Filed Petitioner Motorola Mobility LLC's reply brief in support of petition for rehearing en banc, per order. [22] [54] [6579947] [14-8003] (JR)
06/02/2014	<input type="checkbox"/> <a href="#">50</a> 2 pg, 78.1 KB	ORDER: On May 1 the panel to which the appeal in this case had been assigned invited, in a letter addressed to the Solicitor General of the United States, the United States Department of Commerce and the United States Department of State to file briefs as amicus curiae with respect to the petition for rehearing en banc. We said that "the Departments may address any aspect of the case in which they have an interest in expressing their views. The court has special interest, however, in the Departments' views on the potential effects on foreign relations resulting from the issues presented by this case." Mr. Solicitor General, you responded to the court in a letter dated May 19 in which you stated that you had "authorized the filing [of the FTC-Antitrust Division amicus curiae brief] after consultation with interested components of the federal government, and it reflects the views of the United States on the matters expressed therein.... Neither the United States nor any of its departments plans to file an additional brief at this stage of the appeal." The components were not identified. Enclosed with the letter was an amicus curiae brief that the Japanese Ministry of Economy, Trade and Industry had submitted to the district court in this case last October. And attached to that brief was a brief filed by the U.K., Germany, Japan, Switzerland, and the Netherlands criticizing, in an earlier case, what the brief characterizes as overly aggressive extraterritorial enforcement of American antitrust law. Your letter did not comment on the significance of either brief for the present appeal. We ordered a further response from you but have withdrawn the order. We remain interested in, and would be grateful to receive from you, some further information, whether in another letter from you or in a supplement to the amicus curiae brief filed by the Federal Trade Commission and the Antitrust Division of the Department of Justice, concerning the potential impact on U.S. foreign commercial relations, and on U.S. foreign relations more generally, of deciding the present appeal one way or another. The reason for this request is that one of the concerns expressed in the panel opinion sought to be reheard en banc is with the possible harm to U.S. foreign relations of extraterritorial enforcement (of U.S. antitrust law) that is perceived by foreign countries as an improper interference with their sovereign economic policies. Although your letter did not characterize or comment on the Japanese brief or the briefs of the other countries (all friends of the United States) attached to that brief, all the briefs express great concern with such enforcement, and in the case of the Japanese brief the concern expressed is with specific reference to the present case. Furthermore, since our receipt of your letter, the Republic of Korea (i.e., South Korea) has filed without objection by any party an amicus curiae brief expressing concerns similar to those expressed in the other foreign briefs, and Taiwan has filed a statement in a similar vein. We would be grateful for your thoughts on the concerns expressed by the foreign governments. We emphasize that, having withdrawn our order of May 22, we are merely requesting the above information. But we believe that a positive response will be helpful not only to the court, but also to the credibility of the amicus curiae brief filed with your approval by the FTC and the antitrust division. [50] [6579675] [14-8003] (AD)
06/02/2014	<input type="checkbox"/> <a href="#">51</a> 2 pg, 107.79 KB	Disclosure Statement filed by Attorney Kenneth A. Gallo for Respondent Sharp Electronics Corporation. for Sharp Corporation. [51] [6579784] (L-Yes; E-Yes; R-No) [14-8003] ]--[Edited 06/02/2014 by ER - added attorney Kenneth A. Gallo] (Gallo, Kenneth)
06/02/2014	<input type="checkbox"/> <a href="#">52</a> 2 pg, 107.68 KB	Disclosure Statement filed by Attorney Craig A. Benson for Respondent Sharp Electronics Corporation. for Sharp Corporation. [52] [6579788] (L-No; E-Yes; R-No) [14-8003] ]--[Edited 06/02/2014 by ER - added attorney Craig a. Benson] (Gallo, Kenneth)
06/02/2014	<input type="checkbox"/> <a href="#">53</a> 2 pg, 338.6 KB	Disclosure Statement filed by Attorney Joseph J. Simons for Respondent Sharp Electronics Corporation. for Sharp Corporation. [53] [6579798] (L-No; E-Yes; R-No) [14-8003] ]--[Edited 06/02/2014 by ER - added attorney Joseph J. Simons] (Gallo, Kenneth)
06/05/2014	<input type="checkbox"/> <a href="#">55</a> 55 pg, 398 KB	Filed Respondents AU Optronics Corporation, Chungwa Picture Tubes Limited, Hannstar Display Corporation, LG Display Company, Limited, Samsung Electronics Company, Limited, Samsung SDI America, Inc., Samsung SDI Company, Limited, Sanyo Consumer Electronics Company, Limited, Sharp Electronics Corporation and Toshiba Corporation Citation of Additional Authority, per Circuit Rule 28(e). [55] [6581031] [14-8003] (Wick, Robert)
06/06/2014	<input type="checkbox"/> <a href="#">56</a> 4 pg, 80.59 KB	Filed Petitioner Motorola Mobility LLC Citation of Additional Authority, per Circuit Rule 28(e). [56] [6581169] [14-8003] (Goldstein, Thomas)
06/27/2014	<input type="checkbox"/> <a href="#">57</a> 22 pg, 102.05 KB	Submitted supplement to amicus brief by Nickolai G. Levin for Amicus Curiae USA. Federal or state filer (consent unnecessary). [57] [6586328] [14-8003]--[Edited 06/30/2014 by JAD -- to reflect that this is filed pursuant to the 6/2/2014 order.] (Levin, Nickolai)
07/01/2014	<input type="checkbox"/> <a href="#">58</a> 1 pg, 99.25 KB	ORDER: The panel has decided to rehear this appeal. The panel's opinion and judgment of March 27, 2014, are hereby vacated. By separate order, the court will fix a deadline for the filing of supplemental briefs and set a date for oral argument. [58] [6587090] [14-8003] (FP)
07/01/2014	<input type="checkbox"/>  1 pg, 218.12 KB	FOR COURT USE ONLY: Certified copy of 07/01/2014 Order Vacating Opinion sent to the District Court Clerk. [6587093-2] [6587093] [14-8003]--[Edited 07/01/2014 by JAD to update text.] (FP)
07/01/2014	<input type="checkbox"/> <a href="#">59</a> 1 pg, 115.4 KB	ORDER: Supplemental briefing shall proceed as follows: 1. The supplemental brief of the Plaintiff-Appellant shall be filed by July 9, 2014. 2. The supplemental brief of the Defendants-Appellees shall be filed by July 16, 2014. Paper copies of all supplemental briefs must be received on the same day as the electronic version. Oral argument in this appeal will be heard on July 21, 2014 at 2:30 p.m. JD [59] [6587171] [14-8003] (FP)

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